General Index

Agency, 540–553
Commercial agents,
Function of, 541–545
Protected position of, 540–553
Termination payments, and, 546–552

Banking, 299–311, 553–565
Fiduciary duties,
Assistance,
Receipt and, 305–310
Knowledge, and, 299–305
Investment regulation,
Nigeria, in, 209 *et seq.*
Letters of credit,
Pre-judgment attachment,
Third party, by, 157 *et seq.*
Unfair Contract Terms,
International banking contracts, and, 553–565

Business property, 83–96
Business leases,
Holding over,
Periodic tenancies and Tenancies at will, 91–96
Lease renewals,
Settlement of terms,
Court's discretion, and, 83–90

Commercial sales,
Arbitration clauses,
Enforcement,
Third party by, 415 *et seq.*
Privity of contract and, 415–418
Contracts (Rights of Third Parties) Act 1999, and, 421–429
Sale of Goods Act,
Property and title,
Relationship between, 1 *et seq.*
Quality,
Information supply, and, 114 *et seq.*
Exemption clauses and, 123–125
Seller's obligation,
Extent of, 115–122

Companies (General),
Directors,
Disqualification,
Current law,
Deficiencies of, 442–445

Companies (General)—*cont.*
Directors—*cont.*
Disqualification—*cont.*
Current law—*cont.*
Effectiveness of, 433 *et seq.*
Objectives of, 437–441
Economic loss,
Assumption of responsibility and, 228–248
Negligence, and 217 *et seq.*
Proxy solicitation,
Definition, 379–381
Theories of, 381–397
U.S. regulation of, 377 *et seq.*
Remuneration,
Meaning of, 173
Utilities Act 2000,
Service standards 172–173
Statutory statements 170–172
Utility companies and, 166 *et seq.*
Insolvency,
Directors' liabilities,
Creditors, to, 34–42
Enforcement of, 42–55
English and U.S. law contrasted, 32 *et seq.*
Partnerships,
Definition, 357–360
Dissolution of, 370–375
Law in the twenty-first century, 357 *et seq.*
Legal personality and, 363–367
Scottish law,
Single business organisations,
Legal personality,
Corporate groups, and, 58 *et seq.*

Competition law,
China,
Developments in, 273 *et seq.*

Consumer sales,
Advertising,
Singapore,
Regulation of, 399 *et seq.*
Credit hire agreements,
Categorisation of, 15–20
Damages,
Principles, 21–25
Insurance cover, and, 14 *et seq.*

Consumer sales—*cont.*
Credit hire agreements—*cont.*
Unjust enrichment, and, 20–21
Tour Operators
Contract,
Proper performance of, 259–262
Strict liability and, 253 *et seq.*
ABTA Code of Conduct, and, 263–265
Common law, 254–258
Vehicle registration documents,
Certification of title, and, 488 *et seq.*
Notice, effect of, 498–502
Contract,
Employment,
Mistake and, 107 *et seq.*, 112–113
Unconscionability and, 107 *et seq.*, 109–112
Correspondence, 206–207

Employment relations,
Part-time workers,
Less favourable treatment,
Prevention of, 344 *et seq.*
Economic loss,
Assumption of responsibility and, 228–248
Negligence, and, 217 *et seq.*

Financial services, 96–105
Credit unions,
Government policy, 509 *et seq.*
Financial Services Authority,
Role of, 520–528
Financial Services Authority,
Credit unions,
Powers over, 520–528
Disciplinary powers,
Financial Services & Markets Act,
Effect of, 96 *et seq.*
Requirement imposed by, 97–104

Insolvency,
Book debts,
Innominate charges,
Effects of, 532 *et seq.*
Companies,
Directors' liabilities,
Creditors, to, 34–42
Enforcement of, 42–55
English and U.S. law contrasted, 32 *et seq.*
French law,
Fraudulent bankruptcy,
Treatment of, 62 *et seq.*

Insolvency—*cont.*
Hong Kong,
Bankruptcy law, 134–146
Corporate rescue, 146–154
General issues, 128–134
Law reform, 126 *et seq.*
Insurance, 179–190, 311–317, November 2001, special issue
Claims notification,
Condition precedent, as, 182–184
Innominate terms and, 179 *et seq.*, 184–187
Nature of, 181
Third party rights, and, 187–188
Utmost good faith, and, 179 *et seq.*, 188
Definition of, 623
Financial services regulation,
Insurance,
Role of, 623 *et seq.*
General Insurance Standards Council,
Impact of, 646 *et seq.*
Lloyd's market,
Effect on, 650–651
Genetic testing, and, 668–684
Global market,
Insurance and, 661 *et seq.*
Insurance contract code,
Case for, 569 *et seq.*
Common law comparisons, 584–586
Doubts about, 587 *et seq.*, 605 *et seq.*
English codification, 587–589, 594–601
Inflexibility of, 602–603
Middle way, 616 *et seq.*
Obscurity, and, 609–612
Political implementation, 578–581
Single insurance market, 570–575
Suggested content, 581–584
Uncertainty and, 589–591
Utility of, 591–594
Insured, the,
Reasonable expectations of, 684–698
Internet transactions,
Insurance, and, 698–700
Ombudsman,
Public interest, and, 658–659
Role of, 654 *et seq.*
Utmost good faith,
Developments in, 311 *et seq.*
Intellectual property, 190–205
Information society services, 190–205
Passing off,
Goodwill,
Interpretation of, 73 *et seq.*

Intellectual property—*cont.*
Patents,
Utility model proposals,
Critique of, 319 *et seq.*
Lower threshold, 323–325
Socio-economic perspectives, 332–342
Rationale, 326–332

National laws,
China,
Competition law,
Developments in, 273 *et seq.*
France,
Fraudulent bankruptcy,
Treatment of, 62 *et seq.*
Hong Kong,
Insolvency law reform, 126 *et seq.*
Israel,
Letters of credit,
Third party attachment, and, 157 *et seq.*
Nigeria,
Investment regulation, in, 209 *et seq.*
Singapore,
Advertising, Regulation of, 399 *et seq.*
USA,
Company directors,
Proxy solicitation by, 377 *et seq.*

Overseas business law, see National laws

Sea transport,
Charterparties,
Seaworthiness and, 206–207
Document of title,
Bill of lading, as, 462–474
Future legal directions, 460 *et seq.*
Other documents, as, 474–485
Scottish business law,
Single business organisations,
Legal personality,
Corporate groups, and, 58 *et seq.*
Statutory instruments,
Commercial Agency Regs 1993 (amended 1998)
Reg. 2(1), 542
Reg. 2(3), 545
Reg. 7(1)(a), 543
Reg. 8(a), 543
Reg. 8(b)(ii), 546
Reg. 16(a), 548
Reg. 17(1), 546–548
Reg. 17(2), 546
Reg. 17(6), 547, 548, 551
Reg. 17(7), 552

Statutory instruments—*cont.*
Commercial Agency Regs 1993 (amended 1998)—*cont.*
Reg. 17(8), 546
Reg. 17(9), 547
Reg. 18(a), 547, 548
Reg. 18(b), 547, 549
Reg. 18(b)(i), 546, 548, 549
Reg. 18(b)(ii), 547
Reg. 18(c), 547
Company accounts, 169
Exempt credit transactions, 27, 28
Financial services, 103, 624, 625
Insolvent companies, 436
Insolvent partnerships, 364, 365
Insurance companies, 627
Landlord & tenant, 96
Limited liability partnerships, 371
Maternity & Parental leave, 355
Partnerships & limited companies accounts, 358
Package travel,
Package Travel, Package Tours & Package Holidays Regs, 1992, 253
Reg. 2(1), 253
Reg. 5(1), 258
Reg. 6(1), 260, 261
Reg. 9, 260
Reg. 15, 258
Reg. 15(1), 259
Reg. 15(2), 259
Reg. 15(2)(c)(ii), 272
Sched. 1, 260
Road traffic, 495
Road vehicles,
Construction & use, 495
Off-road notification, 495
Registration, 495, 496, 499, 500
Solicitors accounts, 358
Statements in consumer contracts, 172
Tramcars & trolleys, 495
Unfair contract terms, 29, 125, 181, 271
Unfair Terms in Consumer Contracts Regs 1999, 553, 602
Reg. 2, 556
Reg. 2(1), 558
Reg. 3, 556
Reg. 3(1), 172, 181
Reg. 4, 556, 557
Reg. 5, 556, 557
Reg. 5(1), 558, 559
Reg. 5(2), 558
Reg. 5(4), 558
Reg. 6, 556, 557, 559
Reg. 7, 556, 560

Statutory instruments—*cont.*
Unfavourable treatment of
part-time workers, 344 *et seq.*
Working places, 180
Working time, 351